

*KIRTON LAW FIRM*

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*Marlon G. Kirton, Esq.*

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*Nassau County:  
175 Fulton Avenue, Suite 305  
Hempstead, New York 11550  
Tel. # (516) 833-5617  
Fax # (516) 833-5620*

January 23, 2025

**VIA ELECTRONIC MAIL**

Hon. Paul G. Gardephe  
United States District Court  
Thurgood Marshall  
United States Courthouse  
40 Foley Square  
New York, New York 10007

**Re: *US v. Yiyi Chen 23 cr. 302 (PGG)***

Dear Judge Gardephe:

I represent Yiyi Chen in the above referenced matter. I want to bring a housekeeping matter to the Court's attention.

The Government has provided Ms. Chen copies of their exhibits daily. On January 21, 2025, nine (9) pages of one of the Government's Exhibits were misfiled in her copy of the Government Exhibits (GX). An unredacted copy of the first nine pages of GX 404 was filed as the first nine pages of GX 403. Ms. Chen is concerned that the juror copies have the same error. If true, the jury has before it unredacted copies of documents that the jurors were never intended to receive. Ms. Chen reviewed Mr. Wang's copy; it did not contain the same error. The Defense requests that the juror copies of the Government Exhibit binders be jointly inspected to see if they contain the same error as Ms. Chen's copy.

I notified the Government of our concern, via email on January 22, 2025. The Government did not want to independently review the jury binders without Court authorization.

I am happy to discuss these issues on the record at the Court's convenience.

Sincerely,

s/ *Marlon G. Kirton*

Marlon G. Kirton, Esq.

cc: All Counsel (via electronic mail)